

REMARKS

Favorable reconsideration is respectfully requested in view of the foregoing amendments and the following remarks.

**I. CLAIM STATUS AND AMENDMENTS**

Claims 22-63 were pending in this application when last examined.

Claims 22-24, 26-33, 37-43, 47-49, 51 and 52 were rejected.

Claims 25, 34-36, 44-46, 50 and 53-63 were indicated as allowed. Applicants appreciate the Examiner's indication of allowable subject matter in item 5 on the Office Action Summary.

Kindly note the rejected claims have been rewritten to incorporate the subject matter of an allowed claim. This involved either: (1) rewriting an allowed dependent claim to independent form, and to incorporate the subject matter of the independent claim and any intervening claims from which it depended, or (2) rewriting an independent claim to incorporate the subject matter of an allowed dependent claim. Below is brief summary of the amendments.

Independent claim 22 was amended to incorporate the subject matter of allowed dependent claim 25. Claim 25 was then cancelled without prejudice or disclaimer thereto. Applicants reserve the right to file a continuation or divisional on any cancelled subject matter.

Allowed dependent claim 34 was amended to independent form and to incorporate the subject matter of independent claim 22 (to which it depended).

Allowed dependent claim 36 was amended to independent form and to incorporate the subject matter of independent claim 22 (to which it depended).

Independent claim 37 was amended to incorporate the subject matter of allowed dependent claim 44. Claim 44 was then cancelled without prejudice or disclaimer thereto. Applicants reserve the right to file a continuation or divisional on any cancelled subject matter.

Claim 45 was amended to change its dependency to claim 37.

Allowed dependent claim 46 was amended to independent form and to incorporate the subject matter of independent claim 37 (to which it depended).

Independent claim 46 was amended to incorporate the subject matter of allowed dependent claim 50. Claim 50 was then cancelled without prejudice or disclaimer thereto. Applicants reserve the right to file a continuation or divisional on any cancelled subject matter.

Allowed dependent claims 60, 61, and 62 were amended to independent form and to incorporate the subject matter of independent claims 22, 37, and 47, respectively.

Kindly note claims 60, 61, and 63 were further revised to replace "The catalyst" with "The method" to thereby use the correct preamble and recite proper antecedent basis.

No new matter has been added.

Claims 22-24, 26-43, 45-49, and 51-63 are pending upon entry of this amendment.

Applicants note that the above claim amendments are intended to address matters of form only as they are not intended to affect the scope of the claims.

This amendment must be entered and considered after final rejection, because the subject matter of the amended claims was fully considered in the current Office Action. Therefore, there is nothing that would require further consideration and/or search, and hence no ground for refusing entry to this amendment. Further, it is noted that the claims have been amended to simply incorporate the subject matter of allowed claims. Accordingly, if the next Office Action on the merits includes a new rejection of one or more claims, the Action must be non-final.

## **II. OATH/DECLARATION**

The oath/declaration was objected to for being defective for the reasons set forth on page 2 of the Office Action.

Applicants are in the process of obtaining a corrected oath/declaration and will submit such in due course.

### **III. PRIOR ART REJECTIONS**

Claims 47-49, 51, and 52 were rejected under 35 U.S.C. § 102(b) as anticipated by JP-A-08164338 for the reasons on page 2 of the Office Action.

Claims 22, 23, 24, 26-33, 37-43, 47-49, and 51-52 were rejected under 35 U.S.C. § 103(a) as obvious over JP-A-08164338 and the alleged admission in the "Background of the Invention" section on page 1 of the specification for the reasons on pages 4-5 of the Office Action.

For the sole purpose of expediting prosecution and not to acquiesce to the rejections, the claims have been amended to incorporate the subject matter of allowed/non-rejected claims as discussed above. Thus, the present amendment overcomes the above-noted prior art rejections.

### **IV. CONCLUSION**

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is in condition for allowance and early notice to that effect is respectfully requested.


If the Examiner has any questions or comments, please contact the undersigned attorney at the telephone number below.

Please charge the fee of \$1,260.00 for the six (6) independent claims to our credit card as set forth on the attached Credit Card Payment Form.

The Commissioner is hereby authorized in this, concurrent, and future submissions, to charge any underpayment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON



---

Jay F. Williams, Reg. No. 48,036  
Customer No. 00466  
209 Madison Street, Suite 500  
Alexandria, VA 22314  
Telephone (703) 521-2297  
Telefax (703) 685-0573  
(703) 979-4709

JFW/jlw